

Appendix G: NO SPRAY SITES

Jefferson County may allow landowners to pose their land as a “No Spray Site”.

The following conditions will be met:

1. Complete permit with notarized signature. Proof there is a permanent resident on the property with medical sensitivity to herbicides.
2. The private property contains special vegetation or habitat considerations. Documentation is necessary.
3. The landowner has on file with the County Weed Board a weed management plan containing the following information:

(Information required in parts a, b, c, and d may be combined into one map.)

- a. Plat or map of the property AND legal description.
 - b. A Map detailing all right-of-ways and entrance driveways on the property.
 - c. A map detailing the species, acreage, and location of noxious weeds on the property.
 - d. A map detailing any water courses such as rivers, streams, irrigation ditches, sloughs that traverse the property and enters adjacent lands.
 - e. A statement giving the typical wind direction at the property.
 - f. A detailed plan stating how weeds on the property will be controlled.
 - i. How neighboring property will be protected.
 - ii. Methods of control may be chemical, biological, mechanical, cultural or other documented methods approved by the board.
 - g. A signed letter from the Montana Department of Transportation stating an agreement with the control method to be used along state right-of-ways.
4. The Jefferson County Weed District will provide one set of signs to the property owner with the wording “NO SPRAY SITE”.
 - a. A sign will be placed on each corner of the property. Along roads, a sign will be posted at each end of the property adjacent to the road and at any driveway leading onto the property.
 5. The landowner agrees to inspection of the property should problems or complaints be filed.
 6. The landowner agrees that the County Weed Board will order removal of any plant found that is listed on the State Noxious Weed List, Priority 1A, 1B, or 2A.

NOXIOUS WEED CONTROL PERMIT

On this _____ day of _____ 20__

APPLICANT: _____

Of _____

do own or control property in Jefferson County property (s) located in:

SECTION: _____ **TOWNSHIP:** _____ **RANGE:** _____

And more particularly described as:

I will provide continual noxious weed control on said property (s). I will provide, at no expense to Jefferson County, all labor, materials and incidentals necessary to control all noxious weeds listed on the latest Jefferson County Noxious Weed list. I understand, without prior notice, that Jefferson County Weed Board will inspect said property (s).

OUTLINE--- METHOD OF CONTROL:

TIME THAT CONTROL WILL OCCUR:

If noxious weeds are not controlled, Jefferson County will terminate this Permit **immediately** and notice will be served that the County will initiate the control measures it deems necessary within thirty (30) days.

7-22-2153 (b) states: Failing to provide alternative weed control within the time specified is guilty of a misdemeanor, and upon conviction shall be sentenced pursuant to **46-18-121** and assessed the cost of weed control provided by the board. A second conviction is punishable by a fine of not less than \$500 or more than \$2000, plus the cost of weed control provided by the board.

Applicant hereby agrees to the following conditions:

1. To perform all work in compliance with all state and federal statutes and standards.
2. To notify the Jefferson County Weed Board previous to starting any work within the County right of way covered by this permit.
3. Applicant will be responsible for any damages.

4. To indemnify, defend and save harmless, Jefferson County, its officers and employees, and the Montana Department of Transportation where applicable from the responsibility, damages or liability arising from the exercise of the privileges herein granted.
5. Permittee must meet all requirements for warning signs, traffic control, and public safety as defined in the latest edition of the Manual of Uniform Traffic Control Devices.

I further understand that this is a **yearly** Permit, and can be terminated without notice. It is my responsibility to update this Permit on an annual basis. This Permit is subject to approval by the Jefferson County Weed Board and the Department of Transportation where applicable.

Applicants Signature: _____ Date: _____

Chairperson JCWD: _____ Date: _____

Dept. of Transportation: _____ Date: _____

*****NOTE: ALL WEED CONTROL PERMITS MUST BE SIGNED, DATED & NOTORIZED.
PERMITS WILL NOT BE APPROVED WITHOUT NOTORIZATION.**

STATE OF MONTANA)

(SS.

COUNTY OF JEFFERSON)

On this _____ day of _____, 2012, before me, the undersigned Notary Public in and for the State of Montana, personally appeared _____, known to me to the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have here unto set my hand and affixed my Notarial seal the day and year first above written.

Notary Public of the State of Montana

Residing at _____

My Commission Expires _____

